

## CLASSIFICATION OFFICE DECISION

**Title of publication:** 085.jpg

**Other known title(s):** Not stated

**OFLC ref:** 802376

**Medium:** Computer Image File Printout

**Distributor:** Not stated

**Country of origin:** Not stated

**Language:** Not stated

**Applicant:** The District Court At Waitakere

|                        |                |
|------------------------|----------------|
| <b>Classification:</b> | Objectionable. |
|------------------------|----------------|

**Descriptive note:** None

**Display conditions:** None

**Date of entry in Register:** 10 March 2009

**Date of direction to issue a label:** No direction to issue a label has been issued

### Summary of reasons for decision:

The publication is a computer image file printout that contains a sexualised image of two naked children. The publication encourages a sexual interest in children. It also advances the idea that children are ready for adult forms of sexual activity. As such it promotes and supports the exploitation of children for sexual purposes, and is deemed objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act).

The classification of this publication interferes with the freedom of expression, as set out in section 14 of the New Zealand Bill of Rights Act 1990. This outcome is consistent, however, with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of a free and democratic society to limit the availability of publications that promote and support the exploitation of children for sexual purposes.